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U.S. Department of Justice

United States Attorney
Eastern District of New York

TAM:JHK
F.#2003V01328

610 Federal Plaza, 5th Floor
Central Islip, New York 11722

VIA ELECTRONIC FILING

Honorable Dora L. Irizarry
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

*Applications granted. This action
January 26, 2006
is hereby reassigned to Judge
Wexler.*

Dated: Jan. 27, 2006

SO ORDERED:

Dora L. Irizarry, USDA

Re: United States v. U.S. Currency (\$50,000.00)
Civil Docket No. CV-03-3309 (Irizarry, J.) (M.Orenstein, M.J.)

Dear Judge Irizarry:

This Office represents plaintiff United States of America in the above civil forfeiture action. Pursuant to Local Civil Rule 1.6 and Rule 50.3 of the Guidelines for the Division of Business Among District Judges, the United States respectfully submits this letter to advise the Court that the above-captioned civil forfeiture action is related to the pending criminal action, United States v. Nebel, Zeilberger, et al., CR-05-0886 (LDW) (the "criminal action"). In order to avoid unnecessary duplication of judicial effort, this civil forfeiture action should be heard by the Honorable Leonard D. Wexler, the District Judge presiding over the aforementioned criminal case.

This civil forfeiture action seeks forfeiture of fifty thousand dollars (\$50,000.00) in United States currency (the "defendants in rem") pursuant to 21 U.S.C. § 881(a)(6), as moneys furnished or intended to be furnished in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. § 841, et seq., or proceeds traceable to such an exchange and all moneys intended to be used to facilitate any violation of 21 U.S.C. § 841, et seq. On December 1, 2005, a Grand Jury sitting in the Eastern District of New York returned a two-count indictment against, inter alia, the claimant in the instant action, Jay Zeilberger ("Zeilberger"). The indictment charged Zeilberger with conspiracy to distribute and possess with intent to distribute marijuana in

violation of 21 U.S.C. §§ 846 and 841(b)(1)(C), and with conspiracy to launder narcotics proceeds in violation of 18 U.S.C. § 1956. The indictment also alleges criminal forfeiture and names the defendants in rem as specific property subject to forfeiture should the defendant be convicted of either count.

Both cases involve forfeiture of the same currency which the government alleges is derived from the narcotics conspiracy with which Zeilberger is charged in the criminal action. In these circumstances, the civil forfeiture action should be heard by Judge Wexler, the District Judge presiding over Zeilberger's criminal case in order to avoid unnecessary duplication of judicial effort. Accordingly, because this civil forfeiture action is related to the aforementioned criminal case, the United States respectfully requests that it be heard by Judge Wexler in accordance with Local Civil Rule 1.6 and Rule 50.3 of the Guidelines for the Division of Business Among District Judges, to avoid duplication of judicial effort and to conserve judicial resources.

Thank you for your consideration of this matter.

Respectfully submitted,

ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY

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cc: Honorable Leonard D. Wexler
United States District Judge

Honorable Michael L. Orenstein
United States Magistrate Judge

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Other Documents

2:03-cv-03309-DLI United States of America v. United States currency in the amount of fifty thousand dollars (\$50,000), more or less, and all proceeds traceable thereto

U.S. District Court**Eastern District of New York****Notice of Electronic Filing**

The following transaction was received from Knapp, James entered on 1/26/2006 at 10:06 AM EST and filed on 1/26/2006

Case Name: United States of America v. United States currency in the amount of fifty thousand dollars (\$50,000), more or less, and all proceeds traceable thereto
Case Number: 2:03-cv-3309
Filer: United States of America
Document Number: 14

Docket Text:

Letter respectfully advising the Court that this civil forfeiture action is related to the pending criminal action, United States v. Jay Zeilberger, et al., CR-05-0886, pending before the Honorable Leonard D. Wexler, United States District Judge, and requesting that this civil forfeiture action be transferred to Judge Wexler in accordance with the E.D.N.Y. Local Rules by United States of America. (Knapp, James)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP NYEDStamp_ID=875559751 [Date=1/26/2006] [FileNumber=2004794-0]

[b47b81e3fbd0d039f532b66fe349c945ad4006ddd1cf42fdebaaf3c3e3d21f6c7b4e2ff49d500384953ba9f6457839ef1a89ccd50bfa218ed175aff7163c747e]]

2:03-cv-3309 Notice will be electronically mailed to:

Iris Horowitz ihorowitz@irislaw.com,

James Halleron Knapp james.knapp@usdoj.gov

2:03-cv-3309 Notice will be delivered by other means to: